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Attorneys for Plaintiff
Landmark Home Mortgage, Inc.

6 UNITED STATES DISTRICT COURT
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8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 Landmark Home Mortgage, Inc.,

Action No. 07-CV-04654-JF

11 Plaintiff,

Declaration of William Dresser in Support
of Request to Enter Default Against
Defendant Alvin Silbernagel

12 vs.

13 Guillermo Flores, Alvin Silbernagel, Atlas
Financial Services, Inc. dba Atlas
14 Financial Services and Atlas Realty,
Bertha Moreno, Jose Arrellano, Robert
15 W. Peterson, individually and dba
Peterson Appraisal Group, and Does 1
16 through 50,

17 Defendants.

18 /

I, William C. Dresser, declare that:

19 1. I am an attorney at law, duly authorized to practice in the State of California,
20 and am the attorney of record for Plaintiff Landmark Home Mortgage, Inc. in the within
21 action;

22 2. The following is stated of my own personal knowledge, except as to the matters
23 stated on information and belief and as to those matters I believe them to be true, and if
24 called to testify can and would testify competently thereto;

25 3. Plaintiff hereby requests that the Clerk of the above-entitled Court enter default
26 on the Complaint in this matter in favor of Plaintiff Landmark Home Mortgage, Inc. against
27 Defendant Alvin Silbernagel on the ground that said defendant has failed to answer,
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1 appear or otherwise respond to the Complaint within the time prescribed by the Federal
2 Rules of Civil Procedure, or by the California Code of Civil Procedure.

3 4. Plaintiff served the Summons, Complaint, Statement of Damages as to
4 exemplary damages, and state court Civil Case Notice on Defendant Silbernagel on
5 September 25, 2007, as evidenced by the proof of service of summons on file with this
6 Court.

7 5. No answer, appearance or other response has been filed or served by
8 Defendant Silbernagel in either state or federal court, and no extensions of time to
9 respond have been requested or granted.

10 6. I have seen Alvin Silbernagel. He was at some recent time changed his name
11 to "Alvin Atlas." Defendant Alvin Silbernagel is not an infant, incompetent or in active
12 military service.

13 I declare under penalty of perjury, under the laws of the United States of America,
14 that the foregoing is true and correct and that this Declaration was executed by me on
15 February 6, 2008 at San Jose, California.

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17 /s/
William C. Dresser
Attorneys for Plaintiff
Landmark Home Mortgage, Inc.

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